

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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JOHN FLYNN, et al., )  
Plaintiffs, )  
v. ) Case No. 1:05 CV 01020  
SCHNELL CONTRACTING SERVICES, LLC, ) Judge: Ellen S. Huvelle  
Defendant. )  
)

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**MOTION TO VACATE JUDGMENT  
AND INCORPORATED MEMORANDUM IN SUPPORT THEREOF**

On November 30, 2005, the Court entered a Judgment against Defendant Schnell Contracting Services, LLC in the sum of \$183,960.56. Plaintiffs now move this Court to vacate the Judgment against Defendant for the reasons set forth in the Declaration of Ira R. Mitzner, attached hereto as Exhibit A. The parties have entered into a settlement agreement and the granting of this motion will allow the parties to complete the settlement.

WHEREFORE, Plaintiffs, by counsel, hereby respectfully move the Court to vacate the Judgment entered against Schnell Contracting Services, LLC.

Respectfully submitted,

Dated: Sept. 27, 2007

By:   
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